

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY , AUGUST 8, , 19 89

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE
COUNCIL CHAMBERS Tuesday EVENING August 8 , 19 89 ,
IN Regular SESSION. PRESIDENT Charles B. Redd
IN THE CHAIR, COUNCIL ATTORNEY Stanley A. Levine , AND
Sandra E. Kennedy CITY CLERK, AT THE DESK, PRESENT THE
FOLLOWING MEMBERS _____ VIZ:

BRADBURY <u>P</u>	BURNS <u>P</u>	EDMONDS <u>P</u>
GIAQUINTA <u>✓</u>	HENRY <u>✓</u>	LONG <u>P</u>
REDD <u>P</u>	SCHMIDT <u>P</u>	TALARICO <u>P</u>

ABSENT: _____

COUNCILMEMBER: _____

THE MINUTES OF THE LAST REGULAR August 1 , 19 89 ,

_____ , 19 ,

SPECIAL _____ , 19 ,

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION,
APPROVED AND PUBLISHED.

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 8th day of August, 1989, that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances, and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 14th day of August, 1989.

SE Kennedy
SANDRA E. KENNEDY, CITY CLERK



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

25 July 1989

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
CityCounty Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946.) The proposed ordinance is designated as:

Bill No. Z-89-07-06

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
25th day of July 1989.

Robert Hutner
Secretary

FACT SHEET

Z-89-07-06

BILL NUMBER

**Division of Community
Development & Planning****BRIEF TITLE**

Zoning Ordinance Amendment
From R-2 to P.O.D.

APPROVAL DEADLINE**REASON****DETAILS****Specific Location and/or Address**

2727 No Clinton St

Reason for Project

Professional Offices

Discussion (Including relationship to other Council actions)17 July 1989 - Public Hearing

See Attached Minutes of Meeting

24 July 1989 - Business Meeting

Motion was made and seconded to return
the ordinance to the Common Council with
a DO NOT PASS recommendation.

Of the six (6) members present, five (5)
voted in favor of the motion, one (1) did
not vote.

Motion carried.

POSITIONS**RECOMMENDATIONS****Sponsor**

City Plan Commission

Area Affected

City Wide

Other Areas

**Applicants/
Proponents****Applicant(s)**

Richard Hoffman
City Department

Other

Opponents**Groups or Individuals**

Brookview Civic Association

Basis of Opposition**Staff
Recommendation**☐ For☒ Against

Reason Against

**Board or
Commission
Recommendation****By**☐ For☒ Against☐ No Action Taken

☐ For with revisions to conditions
(See Details column for conditions)

**CITY COUNCIL
ACTIONS
(For Council
use only)**☐ Pass☐ Other☐ Pass (as
amended)☐ Hold☐ Council Sub.☐ Do not pass

DETAILS

POLICY/ PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start

Date 6-1-89

Projected Completion or Occupancy

Date 7-25-89

Fact Sheet Prepared by

Date 7-25-89

Patricia Biancaniello

Reviewed by

Date 8-2-89

L. Maglio 38

Reference or Case Number

Public Hearing on a Zoning Map Amendment and a Primary Development Plan

- a. Bill No. Z-89-07-06 - Change of Zone #398
From R-2 to POD
2727 No Clinton St
- b. Hoffman POD Development Plan

David Wright, Commission attorney, disqualified himself from participation in the amendment and primary development plan discussion stating a conflict of interest.

Gary Cappelli, attorney for the petitioner, appeared before the Commission. Mr. Cappelli stated that in May of 1988 they had tried to rezone the property to an R3 and then obtain a variance for an office use. Mr. Cappelli stated that several years ago Mr. Hoffman purchased the property and constructed a dwelling on the property. He stated that the dwelling was primarily for residential purposes and also for the purpose of conducting, what was then a home business. He stated that Mr. Hoffman leases business equipment. He stated that as Mr. Hoffman's business grew he continued to expand the business continuing to live in the property. He stated that Mr. Hoffman has never had a sign on his property advertising his business. He stated that about 2 years ago Mr. Hoffman moved from the property and relocated his residence so he could accommodate his expanding office use on the property in question. He stated that it is a business in which no outside customers come to the site. He stated that the only people on the site are employees of Mr. Hoffman's. He stated that at any given time he may have 6 or 7 vehicles at the site and they are accommodated in the expanded driveway he built for this property. Mr. Hoffman not realizing that he was operating in violation of the Zoning laws at one time actually removed the kitchen facilities from the property to accommodate his expanded office use. He stated that in May of 1988 the Board of Zoning Appeals rejected their request for an office use and the Plan Commission also denied the R-3 zoning request. Mr. Cappelli stated this is their last resort. He stated they are asking the Plan Commission to look at this particular situation. He stated they are back to the Plan Commission and requesting that they take a last look and see whether or not rezoning this property to a Planned Office District would really be detrimental to this area. Mr. Cappelli stated that the Plan Commission has determined in a number of cases that an appropriate buffer between a residential area and a growing commercial area is the Professional Office District. He stated he was specifically reading from the purpose enunciated in the Zoning Ordinance as the purpose of the Professional Office District. Since these structures are typically much less commercial in appearance and architecturally more harmonious with residential structures, he felt that there could be no case more compatible with the definition of the POD in the zoning ordinance. He stated that he was referring to the property immediately to the north and across

Grove Street the old Calvary Temple. He stated that in 1985 the owners of the Calvary Temple rezoned the property to R-3 and that was granted. He stated they then went to the Board of Zoning Appeals and requested a contingent use for a television studio and offices for Calvary Temple Ministries this was granted. He stated that the staff has suggested the rezoning be denied because it constitutes spot zoning. He stated that he felt under no circumstance could one conclude that this would be spot zoning when this use is the identical use to the immediately joined property to the north. He stated that in 1984 the Plan Commission granted an expansion of a B-1-B zoning for Tom Steele Tire Company which is in the same block as Mr. Hoffman's property but on the other side of the street. Mr. Cappelli stated that these expansions have not seemed to impugn the integrity of the remaining residential area lying to the south of this particular property. He stated that he did not see how the continuation of Mr. Hoffman's business could be detrimental to the surrounding community.

Mr. Cappelli stated that staff has suggested that the development plan that was submitted is deficient in terms of material and information requested. He stated that is not so. He stated that he felt that they had met all of the requirements for submitting a primary development plan according to the ordinance under which the POD classification exists. He stated they have not filed for secondary development plan approval which would have been customary with an existing structure. He stated that it would have cost another \$100 to do so and they were not so sure that it would have been money well spent. He stated that most of the government agencies have approved the plan that was submitted with little comment. He stated that Traffic Engineering stated that it was approved but would not allow any access to Clinton Street now or in the future. He stated that they fully concur with that request.

The following people spoke in opposition:

Chris Brown, 2334 Eastbrook Drive, President of Brookview Civic Association appeared before the Commission. Mr. Brown presented the Commission with a petition in opposition to the rezoning.

Jim Houlihan, 2713 No Clinton St
Earl Burris, 2720 No Clinton St
Bill Hinga, 2740 Eastbrook Dr
Scott Simmons, 2732 Eastbrook Dr
Tom Burlage, 2420 Oakridge Rd

- residents feel this rezoning would set a dangerous precedent in the area;
- commercial properties to the north of this area are buffered by Grove Street;
- it was stated that this had already been denied once by City Planning when petitioner requested an R-3 district and for a variance by the Board of Zoning Appeals - residents do not see

that this request would merit approval;

- residents do not feel that there is any hardship on the petitioner because it is a self imposed hardship;
- the development plan could not meet the minimum side yard requirements of a POD;
- area has significant historical value and commercial encroachment would diminish the integrity of this historical significance;

Mel Smith questioned why they did not speak out against the other rezonings in the area - Tom Steele Tire, Calvary Temple, car wash.

Mr. Brown stated that those rezonings were in areas that were already commercially developed and the properties are north of Grove Street or on the other side of Clinton Street which acts as a buffer to the residential areas. He stated that is one of their concerns, that the commercial development be stopped before it crosses Grove of Clinton.

In rebuttal, Mr. Cappelli stated that they do not intend to take this request any further. He stated if the Plan Commission rejects this request that will be the end. He stated that they find themselves in a very tenuous position. He stated that certain residents bought their properties in the face of the fact that this use was there. He stated this was done either because they did not recognize that the building was being used for office purposes or because the business was not objectional to them at the time of the purchase. He stated that either it is a fairly good testimonial to the way the property is used and low impact it would have if that use were allowed to continue. He stated that with regard to the required setbacks for a POD he had a letter from planning staff stating that they should withdraw their request for the Board of Zoning Appeals for lot line waivers, because the Plan Commission had the right to grant the lot line modifications.

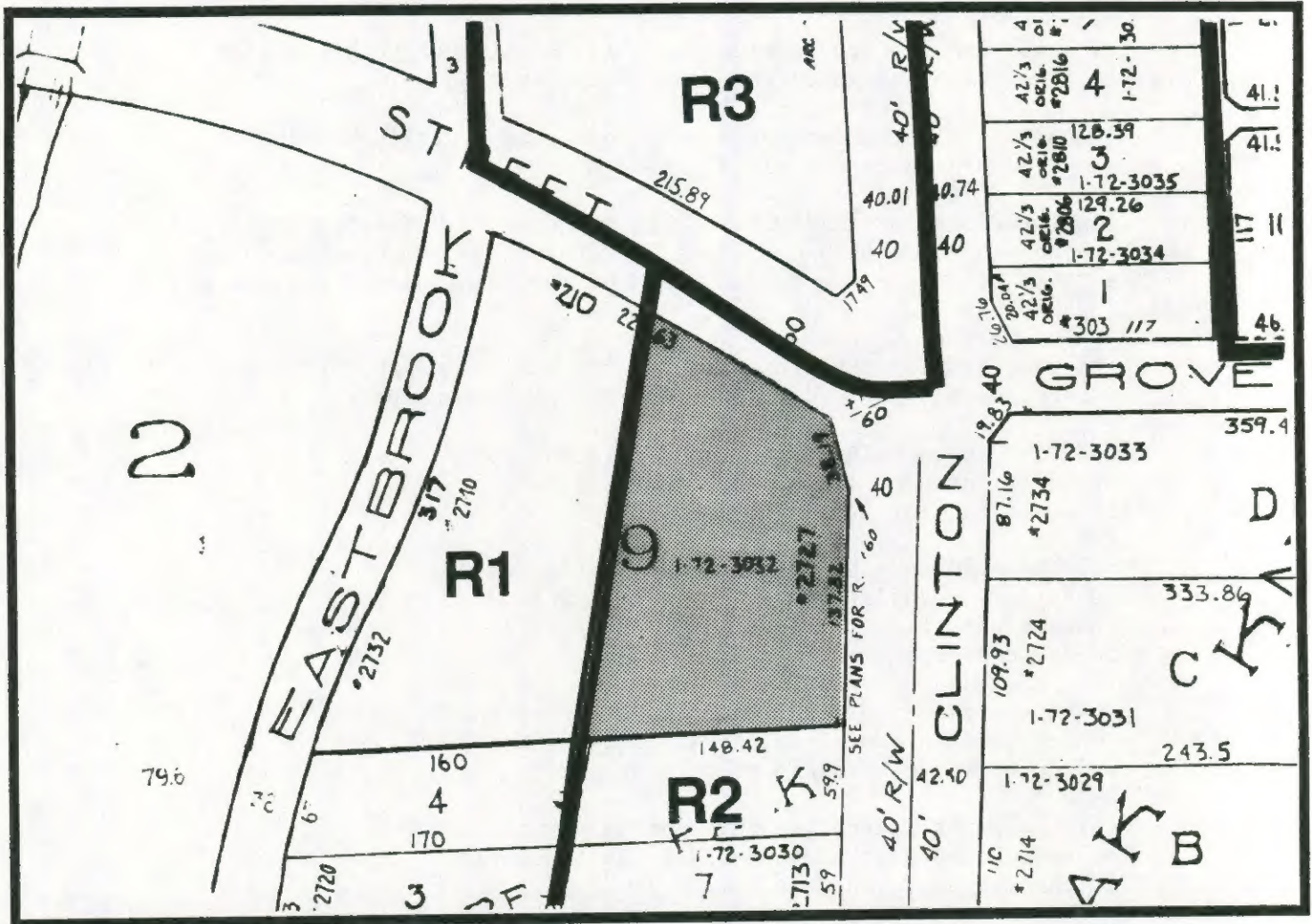
There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.

REZONING PETITION #398

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM A R-2 DISTRICT TO A POD DISTRICT.

MAP NO. M-18

COUNCILMANIC DISTRICT NO. 3



ZONING:

R1 RESIDENTIAL DISTRICT

R3 RESIDENTIAL DISTRICT

R2 RESIDENTIAL DISTRICT

LAND USE:

- ☐ SINGLE FAMILY
- ☒ COMMERCIAL

SCALE: 1" = 100'

DATE: 6-6-89



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 11, 1989 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-89-07-06; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 17, 1989.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Findings of Fact".

- (1) the grant will be injurious to the public health, safety, morals and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;
- (3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;
- (5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 24, 1989.

Certified and signed this
25th day of July 1989.



Robert Hutner
Secretary

Gary Cappelli, attorney for R. J. Hoffman requests a change of zone from R-2 to P.O.D.

Location: 2727 N. Clinton

Legal: Part of Lot 9 Centlivre Park (See file)

Land Area: Approximately 0.569 Acres

Zoning: R-2

Surroundings:	North	R-2	Residential
	South	R-2	Residential
	East	R-2	Residential
	West	R-1	Residential

Reason for Request: Not stated on petition

Neighborhood Assoc.: Brookview Civic

Neighborhood Plan: No comment

Landscape: No comment

Comprehensive Plan: The general land use policies of the Comprehensive Plan state that rezonings and development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area to be developed. The Goal in the Middle Ring, where this request is located, is to maintain investments and prevent deterioration in existing neighborhoods. Office uses are not consistent with the land uses in the immediate area.

Planning Staff Discussion:

This parcel is south of Grove Street. The area is exposed to relatively high traffic volumes, but has attempted to maintain its residential integrity. The majority of uses and structures in the immediate area are of a residential nature. The old Calvary Temple site is north of Grove Street, and there is a convalescent center approximately one block north at Dunnwood Drive. There is also a tire store at the intersection of Clinton and Spy Run to the south.

There are R-2 properties on three sides, with R-1 zoning to the west. Approval of this request would therefore create a "spot zone". The Comprehensive Plan envisions this area as being residential, and the Plan Commission has always been greatly concerned with the preservation of residential property values.

The parcel was brought before the Plan Commission in May 1988 for consideration of a change of zone to R-3. The public hearing indicated strong opposition from the abutting neighbors, and the petition was not supported by staff. The Plan Commission recommended denial of the petition, and it was denied by Common Council.

The parcel was also brought before the Board of Zoning Appeals (BZA) in July of 1988 for consideration of a Use Variance to allow an office in an R-2 District. The BZA denied the petition, following strong opposition from the surrounding property owners.

Although the structure was built based on an Improvement Location Permit that indicated a residential use, the petitioner has been conducting a "brokerage" business from this site for some time, and has been taken to court for zoning violations.

This property is currently under Court order to discontinue use of the premises as an office after September 1, 1989, unless a Use Variance has been received from the BZA, and continued occupancy is in compliance with the variance granted.

It would appear that rezoning would not be appropriate at this time, due to the nature of existing uses and structures, the precedent that such approval would establish, and the potential impact on the immediate area.

Recommendation: Do Not Pass

- 1) Approval would create a "spot zone".
- 2) Approval would not be in the best interests of preservation of residential integrity and property values.
- 3) Approval would establish a precedent making it difficult to deny similar petitions in the future.
- 4) Approval would not be consistent with the Comprehensive Plan.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers:

104/89/D, 105/89/E, 106/89/D, 107/89/E, 108/89/E, 109/89/E,
110/89/D, 111/89/E

For the purpose of enforcement, please make this
communication and the attached Regulatory Resolutions a
matter of record and incorporate them into the minutes of the
next Common Council Meeting.

Respectfully Submitted,



Chairman, Board of Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 104/89/D, 105/89/E, 106/89/D,
107/89/E, 108/89/D, 109/89/E, 110/89/D, 111/89/E

I hereby certify that I did this 1st day of August, 1989 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. SEE ABOVE of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, 1986.

A handwritten signature in blue ink, appearing to read "Michael M. Alford", is written over a horizontal line.

CHAIRMAN, Board of Safety

REGULATORY RESOLUTION NO. 104/89/D

(Adopted July 26, 1989)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of said chapter delegates to this Board authority to _____

PREFERENTIAL INTERSECTION

(DELEGATED)

_____; and

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 19, 1989, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

July 26, 1989, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

PREFERENTIAL INTERSECTION

(DELEGATED)

Summer Street --preferential--

at Pittsburgh Street

REGULATORY RESOLUTION NO. 105/89/E

(Adopted July 26, 1989)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of said chapter delegates to this Board authority to _____

STOP INTERSECTION

(EMERGENCY)

_____; and

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 19, 1989, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

July 26, 1989, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION

(EMERGENCY)

Greenlawn Avenue --stop--

for Short Street

REGULATORY RESOLUTION NO. 106/89/D

(Adopted July 26, 1989)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of said chapter delegates to this Board authority to _____

PREFERENTIAL INTERSECTION

(DELEGATED)

i and

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 19, 1989, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

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July 26, 1989, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

PREFERENTIAL INTERSECTION

(DELEGATED)

Short Street --preferential--

at Greenlawn Avenue

REGULATORY RESOLUTION NO. 107/89/E

(Adopted July 26, 1989)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of said chapter delegates to this Board authority to _____

1 HOUR PARKING 8 AM TO 6 PM

(EMERGENCY)

_____; and

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 24, 1989, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

July 26, 1989, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

1 HOUR PARKING 8 AM TO 6 PM

(EMERGENCY)

Calhoun Street --west side--

from 30' south of Woodland Avenue to 65' south thereof

REGULATORY RESOLUTION NO. 108/89/E

(Adopted July 26, 1989)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of said chapter delegates to this Board authority to _____

NO PARKING 7 AM TO 4 PM

(EMERGENCY)

SCHOOL DAYS ONLY

_____; and

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 24, 1989, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective July 26, 1989, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING 7 AM TO 4 PM

(EMERGENCY)

SCHOOL DAYS ONLY

Kinglsey Drive --both sides--

from Vance Avenue to
Woodstock Drive

REGULATORY RESOLUTION NO. 109/89/E

(Adopted July 26, 1989)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of said chapter delegates to this Board authority to _____

STOP INTERSECTION (EMERGENCY)

_____ ; and

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 24, 1989, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective July 26, 1989, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Winter Street --stop--

for Eckart Street

REGULATORY RESOLUTION NO. 110/89/D

(Adopted July 26, 1989)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of said chapter delegates to this Board authority to _____

DELETE:

PREFERENTIAL INTERSECTION (DELEGATED)

_____ ; and

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 24, 1989, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

July 26, 1989, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE:

PREFERENTIAL INTERSECTION (DELEGATED)

Eckart Street --preferential-- at Winter Street

REGULATORY RESOLUTION NO. 111/89/E

(Adopted July 26, 1989)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of said chapter delegates to this Board authority to _____

SPEED LIMIT 25 MPH WHEN CHILDREN PRESENT (EMERGENCY)

_____ ; and

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 24, 1989, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

July 26, 1989, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

SPEED LIMIT 25 MPH WHEN CHILDREN PRESENT (EMERGENCY)

Brooklyn Avenue --from Covington Road to Taylor Street

President of the Common Council
City of Fort Wayne, Indiana

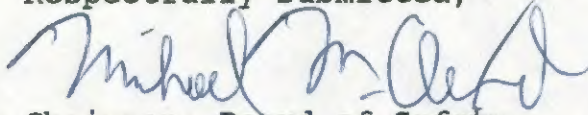
Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers:

112/89/E and 113/89/D

For the purpose of enforcement, please make this
communication and the attached Regulatory Resolutions a
matter of record and incorporate them into the minutes of the
next Common Council Meeting.

Respectfully Submitted,

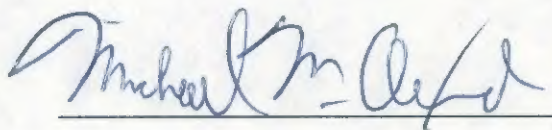
A handwritten signature in blue ink, appearing to read "Michael M. Clef", is written over the typed name.

Chairman, Board of Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 112/89/E and 113/89/D

I hereby certify that I did this 4th day of August, 1989 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. SEE ABOVE of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, 1986.

A handwritten signature in blue ink, appearing to read "Michael M. Alford", is written over a horizontal line.

CHAIRMAN, Board of Safety

REGULATORY RESOLUTION NO. 112/89/E

(Adopted August 2, 1989, 1989)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of said chapter delegates to this Board authority to _____

STOP INTERSECTION (EMERGENCY)

_____ ; and

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 31, 1989, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

August 2, 1989, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Hensch Street	--stop--	for Greenlawn Avenue
Hensch Street	--stop--	for Putnam Street

REGULATORY RESOLUTION NO. 113/89/D

(Adopted August 2, 1989, 1989)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-4 of said chapter delegates to this Board authority to _____

DELETE: _____

PREFERENTIAL INTERSECTION (DELEGATED) _____

_____ ; and

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 31, 1989, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective

August 2, 1989, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE: _____

PREFERENTIAL INTERSECTION (DELEGATED) _____

Greenlawn Avenue	--preferential--	at Hensch Street
Putnam Street	--preferential--	at Hensch Street